

REMARKS/ARGUMENTS

Prior to entry of this Amendment, the application included claims 1-19. No claims have been amended, added, or canceled. Hence, after entry of this Amendment, claims 1-19 remain pending for examination.

Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent Publication No. 2004/0083226 to Eaton (“Eaton”).

Rejections Under 35 U.S.C. § 102(e)

The Applicants respectfully traverse the rejection of all claims under 35 U.S.C. § 102(e), since the cited reference does not teach or suggest all of the claim elements, either explicitly or inherently, as required for a proper rejection under 35 U.S.C. § 102. Specifically, for example, claim 1 recites “wherein the records indicate multiple alternatives for at least one person of the family tree, and wherein the records comprise correlated records having been subjected to one of an individual correlation process and a relationship correlation process to thereby determine a likelihood that two or more of the records represent the at least one person.” Eaton does not teach these elements. Moreover, Eaton does not teach sending a file comprising the alternatives to the user.

Eaton appears to teach systems and methods for constructing family trees. But within the teachings of Eaton, family trees do not indicate multiple alternatives for at least one person of the family tree. And while Eaton mentions that “duplications and inaccuracies are frequently undetected and uncorrected,” Eaton does not teach presenting alternatives to a user as a solution to dealing with the problem. Hence, Eaton fails to anticipate claim 1 for at least the foregoing reasons. Claim 11 includes similar elements and is believed to be allowable, at least for similar reasons.

Claims 2-10 depend from claim 1 and are believed to be allowable for the reasons stated above. Moreover, these claims include additional elements believed to further distinguish these claims over Eaton. For example, claim 3 recites “providing an opportunity for the user to

select among the alternatives.” Eaton does not teach this, and claim 3 is believed to be allowable for at least this additional reason. Claims 4-10 depend from claim 3 and are believed to be allowable, at least for this additional reason. Further, claims 7-10 relate to notifying a user as new alternatives become available, providing the user with the alternatives, and receiving and processing the user’s selection from among the alternatives. Eaton addresses none of this. Hence, claims 7-10 are believed to be allowable for at least these additional reasons.

Claim 12-19 depend from claim 11 and are believed to be allowable, at least for the reasons stated above. Moreover, claims 12-19 include additional elements that further distinguish these claims from Eaton, some of which elements were discussed above with respect to claims 2-10. Hence, claims 12-19 are believed to be allowable for the additional reasons discussed above.

Conclusion

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Date: May 7, 2007

/Irvin E. Branch/

Irvin E. Branch

Reg. No. 42,358

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor

San Francisco, CA 94111-3834

Tel: 303-571-4000

Fax: 415-576-0300

IEB/jln

61002516 v1